

Greetings from the S.C. Medicaid EHR Incentive Program!

This email is sent to alert:

- **All Eligible Professionals (EP)** registered for the S.C. Medicaid EHR Incentive Program of a new Centers for Medicare and Medicaid Services (CMS) final rule and impact on Program Year (PY) 2015 Meaningful Use (MU) attestation availability and deadlines
  - **Doctors of medicine or osteopathy, doctors of optometry, and doctors of dental surgery or dental medicine** to information regarding Medicare payment adjustments
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#### **All EP: New Final Rule, and Impact on PY 2015 MU Attestation**

CMS announced the release of a new final rule for [Stage 3 and Modifications to Meaningful Use 2015-2017](#) on October 6th, 2015.

Effective January 4, 2016, the CMS Registration and Attestation System accepts PY 2015 MU attestations, and now also MU attestations from certain EP types registered for the Medicaid EHR Incentive Program (doctors of medicine or osteopathy, doctors of optometry and doctors of dental surgery or dental medicine). The deadline to attest to MU with CMS for PY 2015 will be **March 11, 2016**. To attest with CMS, please visit: <https://ehrincentives.cms.gov/hitech/login.action>

The S.C. Medicaid State Level Repository (SLR) is undergoing system design changes in response to the new PY 2015 attestation requirements. South Carolina Department of Health and Human Services (SCDHHS) anticipates the PY 2015 MU attestation screens will be available in the April/May 2016 timeframe. Please check the SCDHHS Health Information Technology website, [www.scdhhs.gov/hit](http://www.scdhhs.gov/hit) for updates regarding attestation availability. The deadline to submit a PY 2015 MU attestation to the S.C. Medicaid EHR Incentive Program will be June 30, 2016. The S.C. Medicaid SLR is available at: [www.scdhhs.gov/slr](http://www.scdhhs.gov/slr).

#### **EP who do not meet the S.C. Medicaid EHR Incentive Program patient volume eligibility requirement for PY 2015:**

- EP who are subject to Medicare payment adjustments (see information that follows) should attest with CMS by 3/11/16 to avoid the penalties.
- EP who are not subject to Medicare payment adjustment may effectively “skip” a payment year in the S.C. Medicaid EHR Incentive Program (will not receive incentives for PY 2015, but will still be eligible to return for incentives in PY 2016).

#### **S.C. Medicaid EHR Incentive Program Attestation Deadlines for PY 2015 for EP:**

- Adopt, Implement or Upgrade (AIU): **2/29/16**
  - Meaningful Use (MU): **6/30/16**
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#### **Doctors of Medicine or Osteopathy, Doctors of Optometry, and Doctors of Dental Surgery or Dental Medicine: General Information about Medicare Payment Adjustments**

Congress mandated [Medicare payment adjustments](#) to be applied to Medicare EP who do not meet MU of certified EHR technology. For more information, please visit the official Web site for the [CMS Medicare and Medicaid EHR Incentive Programs](#).

Certain EP provider types are shared between the Medicare EHR Incentive Program and the Medicaid EHR Incentive Program; **shared EP provider types include:**

- doctors of medicine or osteopathy
- doctors of optometry
- doctors of dental surgery or dental medicine

These EP, even if registered in the Medicaid EHR Incentive Program, are still subject to the mandated Medicare payment adjustment unless the EP meets MU under one of the EHR Incentive Programs. SCDHHS provides a required quarterly file to the CMS to inform CMS of EP who have successfully attested for MU with the South Carolina Medicaid EHR Incentive Program.

These EP have two options for submitting a Program Year (PY) 2015 meaningful use (MU) attestation:

1. EP may attest to MU in the CMS Registration and Attestation System by CMS' PY 2015 deadline

**(3/11/16)**

**Or**

2. EP may attest to MU with the S.C. Medicaid EHR Incentive Program by the PY 2015 MU deadline

**(6/30/16);** SCDHHS will communicate the successful (paid) MU attestation to CMS in a quarterly report.

Either means of attestation for PY 2015 will allow a first-year meaningful user to avoid both 2016 and 2017 Medicare payment adjustments; and, will allow a returning EP (i.e., beyond the first year of meaningful use) to avoid 2017 Medicare payment adjustments.

Congress mandated that an EP must be a meaningful user in order to avoid the payment adjustment; therefore **receiving a Medicaid EHR incentive payment for adopting, implementing, or upgrading to certified EHR technology will not exempt an EP from the Medicare payment adjustments.**

EP who attest to MU with the S.C. Medicaid EHR Incentive Program - please note: The time interval for approving the MU attestation and communicating that to CMS may result in CMS initially making Medicare payment adjustments; these will have to be corrected later by CMS.

**To earn the Medicaid EHR incentives for PY 2015:** The EP will still need to meet the patient volume eligibility requirement, and submit an attestation in the S.C. Medicaid SLR when the MU attestation screens are available (April/May 2016 timeframe).

Doctors of medicine or osteopathy, doctors of optometry, doctors of dental surgery or dental medicine attesting in the CMS system to avoid the Medicare payment adjustments are required by the system to agree to three statements in the 'Attestation Statements' screen. The third statement text includes language to state the EP is ineligible to meet meaningful use under the Medicaid program; this has caused concern for some EP. CMS has confirmed it is appropriate to agree to the third statement in order to attest to CMS for MU. Attesting with CMS for MU will not prevent these EP from later attesting with the S.C. Medicaid EHR Incentive Program for PY 2015 to obtain Medicaid EHR incentive payments.

### **Hardship Exceptions**

EP may apply to CMS for hardship exceptions to avoid the payment adjustments. CMS will only grant hardship exceptions under specific circumstances and only if CMS determines that the EP has demonstrated that those circumstances pose a significant barrier to achieving MU. For instructions on how to file for a hardship exception for PY 2015 to avoid payment adjustments, please visit the [CMS EHR](#)

[Incentive Programs website](#). EP who wish to use CMS' hardship exception application must submit their application by: **July 1, 2016**.

### **Important Deadlines Related to Medicare Payment Adjustments**

- CMS deadline for EP to attest for PY 2015 MU in CMS Registration and Attestation System: March 11, 2016
- SCDHHS deadline for EP to attest for PY 2015 MU in S.C. State Level Repository: June 30, 2016
- CMS deadline for EP to submit hardship exception for PY 2015: July 1, 2016

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### **Resources**

Please continue to check the "Latest News" column of the SCDHHS HIT website, [www.scdhhs.gov/hit](http://www.scdhhs.gov/hit), for attestation availability and other important announcements and resources.

Need help with CMS registration?

- CMS EHR Information Center: (888) 734-6433
- CMS Official User Guides: <https://www.cms.gov/Regulations-and-Guidance/Legislation/EHRIncentivePrograms/RegistrationandAttestation.html>

Need help with attestation with the S.C. Medicaid EHR Incentive Program?

[HITSC@scdhhs.gov](mailto:HITSC@scdhhs.gov)

Need information about the Medicare and Medicaid EHR Incentive Program?

<https://www.cms.gov/EHRIncentivePrograms>

Need information about the South Carolina Medicaid EHR Incentive Program?

[www.scdhhs.gov/hit](http://www.scdhhs.gov/hit)

We appreciate your interest in the S.C. Medicaid EHR Incentive Program and look forward to working with you in the future.

Sincerely,

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